THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.9142 OF 2007

DATED: 20-07-2007

BETWEEN

Vallepu Joga Rao,
S/o. late Soma Raju,
R/o. Chavotidibbalu
Village, Y. Ramavaram
Mandal, East Godavari
District and others.

...PETITIONERS

AND

Government of Andhra Pradesh,
Rep. by its Principal Secretary to
Government, Tribal Welfare
Department, A.P. Secretariat,
Hyderabad and another.

...RESPONDENTS

ORDER:

Petitioners submit that as against the orders of the District Collector, East Godavari District, Kakinada in Ref.No.C5/2418/1996 dated 25.06.2004 in canceling their caste certificates, they have filed an appeal before the Government and the Government vide its memo No.9283/CV.2/2004-I dated 30.11.2004 while rejecting the stay application called for the remarks from the District Collector.

They further submit that the order of the Government in rejecting the stay application was not at all communicated to them as they were residing in another place than the address mentioned in the appeal. Therefore, this writ petition has been filed.

2. This Court while issuing notice before admission on 27.04.2007 granted status quo for a period of eight weeks, which was extended for a further period of ten days by order dated 07.06.2007 and the learned Government Pleader was requested to get instructions as to whether the appeal is pending or not.

3. Learned Government Pleader, on instructions from the District Collector, East Godavari, submits that the appeal is pending on the file of the Government.

4. It is stated that though the rejection order was communicated to the advocate of the petitioners when the matter was before the District Collector, the advocate could not communicate the same to the petitioners. Therefore, there was delay in approaching this Court.

5. However, as the appeal itself is pending before the Government, as stated by the respondents, I am of the opinion that it is just and proper to direct the first respondent to consider and dispose the appeal as expeditiously as possible and pending disposal of the appeal, status quo obtaining as on today shall be maintained.

The writ petition is accordingly disposed of. There shall be no order as to costs.

V. ESWARAIAH, J

July 20, 2007
DSK